

BAKER & HOSTETLER LLP

45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Nicholas J. Cremona

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

<div>SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.</div>	Adv. Pro. No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated)
<div>In re: BERNARD L. MADOFF, Debtor.</div>	
<div>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. SYLVIA JOEL, <i>et al.</i>, Defendants.</div>	Adv. Pro. No.10-04291 (SMB)
<div>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. AMY JOEL, Defendant.</div>	Adv. Pro. No. 10-04299 (SMB)
<div>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</div>	Adv. Pro. No. 10-04297 (SMB)

Plaintiff,
v.
PATRICIA SAMUELS, *et al.*,
Defendants.

NOTICE OF MEDIATOR SELECTION

On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”)¹ [Adv. Pro. No. 08-01789 (SMB), Dkt. No. 3141]. Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), in these Adversary Proceedings on November 26, 2010, *see* Adv. Pro. No. 10-04291, Dkt. No. 2; Adv. Pro. No. 10-04299, Dkt. No. 2; Adv. Pro. No. 10-04297, Dkt. No. 2, the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter.

Pursuant to the Avoidance Procedures, on May 12, 2015, the Trustee filed with this Court the Notice of Mediation Referral in the above-captioned adversary proceedings, wherein the Trustee and Defendants Sylvia Joel, the Martin J. Joel Partnership, Article Third Trust Under Will of Martin J. Joel Jr., Article Fourth Trust Under Will of Martin J. Joel Jr., Patricia Samuels, Howard Samuels, Andrew Samuels, Dara Sandler, the Samuels Family Limited Partnership, and Amy Joel (the “Parties”) agreed to enter mediation prior to or upon completion of discovery without further court order.

¹ All terms not defined herein shall be given the meaning ascribed to them in the Order.

Through this Notice of Mediator Selection, and pursuant to the Avoidance Procedures and the Mediation Order, made applicable to the Parties upon the filing of the Notice of Mediation Referral, the Parties hereby mutually select from the Mediation Register Keith N. Costa, from the law firm of Dilworth Paxson LLP, to act as Mediator in this matter.

The Parties further agree that no person shall act as Mediator if that person, or that person's law firm, currently represents a party with respect to the BLMIS proceeding, unless the Parties provide prior written consent that the person may act as Mediator.

Pursuant to the Avoidance Procedures, the Parties agree that this mediation will conclude within 120 days from the date that this Notice of Mediator Selection is filed, unless that deadline is extended by mutual consent of the Parties and the Mediator.

Dated: New York, New York
May 13, 2015

/s/ Nicholas J. Cremona
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehand@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com

/s/ Shannon Anne Scott
JASPAN SCHLESINGER LLP
300 Garden City Plaza
Garden City, New York 11530
Telephone: (516) 746-8000
Facsimile: (516) 393-8282
Steven R. Schlesinger
Email: sschlesinger@jaspanllp.com
Shannon Anne Scott
Email: sscott@jaspanllp.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Estate of Bernard L. Madoff*

*Attorneys for Defendants Amy Joel, Patricia
Samuels, Howard Samuels, Andrew Samuels,
and Dara Sandler*

/s/ Harvey Krauss
Harvey Krauss, Attorney at Law
35 Sutton Place
Suite 15F
New York, NY 10022

Telephone: (917) 880-1685

*Attorney for Defendant Sylvia Joel, Martin J.
Joel Partnership, Article Third Trust Under
Will of Martin J. Joel Jr., and Article Fourth
Trust Under Will of Martin J. Joel Jr.*